

ESTTA Tracking number: **ESTTA1132380**

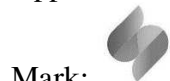
Filing date: **05/09/2021**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91267916
Party	Plaintiff Zipmoney Payments Pty Ltd
Correspondence Address	DAVID L. MAY NIXON PEABODY LLP 799 9TH STREET NW, SUITE 500 WASHINGTON, DC 20001 UNITED STATES Primary Email: nptm@nixonpeabody.com Secondary Email(s): nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com, dmay@nixonpeabody.com, jpsi-houles@nixonpeabody.com, awinetroub@nixonpeabody.com 2025858000
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Andrew H. Winetroub
Filer's email	awinetroub@nixonpeabody.com, dmay@nixonpeabody.com, jpsi-houles@nixonpeabody.com, nptm@nixonpeabody.com, was.managing.clerk@nixonpeabody.com
Signature	/Andrew H. Winetroub/
Date	05/09/2021
Attachments	Amended Notice of Opposition - Sezzle - 88891706 and 88891696.pdf(284779 bytes) Zipmoney Amended Notice of Opposition - Ex A.pdf(1844261 bytes) Zipmoney Amended Notice of Opposition - Ex B.pdf(739704 bytes) Zipmoney Amended Notice of Opposition - Ex C.pdf(1700353 bytes) Zipmoney Amended Notice of Opposition - Ex D.pdf(1740310 bytes) Zipmoney Amended Notice of Opposition - Ex E.pdf(1516303 bytes) Zipmoney Amended Notice of Opposition - Ex F.pdf(1342918 bytes) Zipmoney Amended Notice of Opposition - Ex G.pdf(822988 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of:
Application Serial No.: 88/891,706



Mark:
Published in the *Official Gazette*: September 1, 2020

In the Matter of:
Application Serial No.: 88/891,696




Mark:
Published in the *Official Gazette*: September 1, 2020


Zipmoney Payments Pty Ltd,)	
)	
Opposer,)	Opposition No. 91267916
)	Application Serial Nos.
v.)	88/891,706 and 88/891,696
)	
Sezzle Inc.,)	
)	
Applicant.)	
)	

AMENDED NOTICE OF OPPOSITION


Zipmoney Payments Pty Ltd, an Australia proprietary limited company, with its principal place of business at 10 Spring Street, Level 14, NSW 2000, Sydney, Australia (hereinafter “**Zipmoney**”), believing that it will be damaged by registration of the following applications, hereby opposes (hereinafter the “**Opposition**”) registration of U.S. Trademark Application Serial


No. 88/891,706 for the mark  , filed April 28, 2020, and U.S. Trademark Application




Serial No. 88/891,696 for the mark , both in the name of Sezzle Inc., a Delaware corporation, with an address of record of 251 1st Avenue North, Suite 200, Minneapolis, Minnesota 55401 (hereinafter, “**Applicant**”), and both published for opposition in the *Official Gazette* on September 1, 2020.

The grounds for this Opposition are as follows:

1. Zipmoney is the owner of U.S. Registration No. 6202863 (the “**Zipmoney Registration**”) for the mark  (hereinafter the “**Zipmoney Mark**”) for *Electronic payment services, namely, processing of electronic wallet payments and on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; payment administration services, namely, credit card and debit card transaction processing services; payment processing services; payment transaction card services, namely, payment transaction processing services; providing lines of credit; provision of financial information relating to credit; assessing consumer credit information; provision of consumer credit; financing services for credit; financial credit scoring services; providing trade credit services, namely, financing services for business customers and providing personal loans and lines of credit to business customers*, which was filed on February 28, 2020 and registered on November 24, 2020. Copies of the Certificate of Registration and the Trademark Status & Document Retrieval (“**TSDR**”) system record for the foregoing registration are attached hereto as **Exhibit A** and incorporated herein by reference.

2. Zipmoney is the owner of U.S. Application No. 88815590 (the “**590 Application**”) for the Zipmoney Mark in color format  for *Electronic payment services, namely, processing of electronic wallet payments and on-line financing of purchases and*

providing financial information and financial information in the form of financial statements via the Internet and electronic means; payment administration services, namely, credit card and debit card transaction processing services; payment processing services; payment transaction card services, namely, payment transaction processing services; providing lines of credit; provision of financial information relating to credit; assessing consumer credit information; provision of consumer credit; financing services for credit; financial credit scoring services; providing trade credit services, namely, financing services for business customers and providing personal loans and lines of credit to business customers, which was filed on February 28, 2020 and for which a Notice of Allowance was issued on October 20, 2020. A copy of the TSDR system record for the aforementioned application is attached hereto as **Exhibit B** and incorporated herein by reference.

3. Zipmoney is the owner of U.S. Application No. 79975542 (the “**542 Application**”) for the Zipmoney Mark alongside the word “ZIP” in color format  for *Payment processing services, namely, providing electronic processing of electronic payments for the purpose of facilitating the reimbursement of monetary amounts to business customers for purchases made by consumers on terms of delayed and interest free payment; Payment processing services, namely, providing electronic processing of electronic payments for the purpose of facilitating payments between business customers and consumers relative to purchases made by consumers on terms of delayed and interest free payments* in International Class 36, which was filed on June 6, 2019, having a priority date of December 21, 2018, and which was published on October 20, 2020. A copy of the TSDR system record for the aforementioned application is attached hereto as **Exhibit C** and incorporated herein by reference.

4. Zipmoney is the owner of U.S. Application No. 79263867 (the “**867 Application**,” and together with the ‘590 Application and the ‘542 Application, the “**Zipmoney Applications**”) for the Zipmoney Mark alongside the word “ZIP” in color format



for *Electronic payment services, namely, on-line financing of purchases via the Internet and electronic means; providing trade credit services, namely, financing services for business customers; payment administration services, namely, electronic processing and subsequent transmission of bill payment data; payment processing services, namely, providing electronic processing of electronic funds transfers, and electronic payments; payment transaction services, namely, providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; assessing consumer credit information; financial advice regarding credit* in International Class 36, which was filed on June 6, 2019, having a priority date of December 21, 2018, and which was published on October 27, 2020. A copy of the TSDR system record for the aforementioned application is attached hereto as **Exhibit D** and incorporated herein by reference.

5. Zipmoney has long used the Zipmoney Mark in connection with a wide range of goods and services, including but not limited to the goods and services set forth in the Zipmoney Registration and Zipmoney Applications, and has established rights thereto.


6. As a result of Zipmoney’s longstanding use of and investment of resources in the Zipmoney Mark, Zipmoney has developed significant goodwill and reputation in its mark. The Zipmoney Mark has trademark significance and acts as a single source identifier relative to at least the goods and services set forth in the Zipmoney Registration and Zipmoney Applications.

7. On April 28, 2020, Applicant filed U.S. Trademark Application Serial No.

88/891,706 for the mark  for use with *Computer software, namely, downloadable computer programs and recorded computer software for processing electronic payments, electronic funds transfers and credit card transactions; computer software, namely, downloadable computer programs and recorded computer software for facilitating financial transactions by collecting, storing and transmitting data and information for use in financing of purchases; computer software, namely, downloadable computer programs and recorded computer software for facilitating electronic funds transfers; computer hardware and downloadable and recorded software systems for enabling users to purchase goods and services electronically via electronic payment terminals and automatic teller machines and for making credit card and electronic payments for such purposes; magnetically encoded credit cards, debit cards and gift cards; encoded electronic chip cards for enabling users to make electronic payments and electronic funds transfers; encoded smart cards containing programming used for enabling users to make electronic payments and electronic funds transfers; magnetically encoded debit cards, gift cards and credit cards for electronically transferring funds in Class 9, Financial and monetary services, namely, card-operated financial services in the nature of credit card, debit card and cash card payment processing services; computerized financial services in the nature of on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; providing financial transaction services in the nature of credit card and debit card authorization services and facilitating the processing of credit card and debit card payments; clearing and reconciling financial transactions via a global computer network; financial payment services in the nature of bill payment services and charge card, debit card and credit card payment processing services;*



*electronic payment services involving electronic processing and subsequent transmission of bill payment data; bill payment services; credit card and debit card payment processing services; processing of contactless credit and debit card payments; electronic transfer of funds via computers; electronic funds transfer; transfer of funds, namely, money transfer; providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; card-accessed financial services in the nature of electronic credit card and debit card transaction processing services; providing electronic processing of electronic funds transfer, ACH, credit card, debit card, electronic check and electronic payments in Class 36, and Software as a service (SAAS) services featuring software for processing electronic payments, authorizing credit card, debit card and cash card transactions, managing and tracking electronic payment information and facilitating e-commerce services for others, namely, for allowing users to perform electronic business transactions via a global computer network; providing temporary use of on-line non-downloadable software for processing electronic payments; providing temporary use of on-line non-downloadable authentication software for controlling access to and communications with computers and computer networks in Class 42. A copy of the TSDR system record for the aforementioned application is attached hereto as **Exhibit E** and incorporated herein by reference.*

8. Also on April 28, 2020, Applicant filed U.S. Trademark Application Serial No.

88/891,696 for the mark  for use with *Computer software, namely, downloadable computer programs and recorded computer software for processing electronic payments, electronic funds transfers and credit card transactions; computer software, namely, downloadable computer programs and recorded computer software for facilitating financial transactions by collecting, storing and transmitting data and information for use in financing of*


purchases; computer software, namely, downloadable computer programs and recorded computer software for facilitating electronic funds transfers; computer hardware and downloadable and recorded software systems for enabling users to purchase goods and services electronically via electronic payment terminals and automatic teller machines and for making credit card and electronic payments for such purposes; magnetically encoded credit cards, debit cards and gift cards; encoded electronic chip cards for enabling users to make electronic payments and electronic funds transfers; encoded smart cards containing programming used for enabling users to make electronic payments and electronic funds transfers; magnetically encoded debit cards, gift cards and credit cards for electronically transferring funds in Class 9, Financial and monetary services, namely, card-operated financial services in the nature of credit card, debit card and cash card payment processing services; computerized financial services in the nature of on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; providing financial transaction services in the nature of credit card and debit card authorization services and facilitating the processing of credit card and debit card payments; clearing and reconciling financial transactions via a global computer network; financial payment services in the nature of bill payment services and charge card, debit card and credit card payment processing services; electronic payment services involving electronic processing and subsequent transmission of bill payment data; bill payment services; credit card and debit card payment processing services; processing of contactless credit and debit card payments; electronic transfer of funds via computers; electronic funds transfer; transfer of funds, namely, money transfer; providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; card-



accessed financial services in the nature of electronic credit card and debit card transaction processing services; providing electronic processing of electronic funds transfer, ACH, credit card, debit card, electronic check and electronic payments in Class 36, and Software as a service (SAAS) services featuring software for processing electronic payments, authorizing credit card, debit card and cash card transactions, managing and tracking electronic payment information and facilitating e-commerce services for others, namely, for allowing users to perform electronic business transactions via a global computer network; providing temporary use of on-line non-downloadable software for processing electronic payments; providing temporary use of on-line non-downloadable authentication software for controlling access to and communications with computers and computer networks in Class 42. A copy of the TSDR system record for the aforementioned application is attached hereto as **Exhibit F** and incorporated herein by reference.

9. U.S. Trademark Application Serial No. 88/891,706 for the mark  and U.S. Trademark Application Serial No. 88/891,696 for the mark  **sezzle** are collectively hereinafter referred to as the “**Opposed Applications**” and the “**Opposed Marks**”, respectively.

10. The Opposed Applications were filed in black and white/greyscale format so, in the absence of specific colors, they purport to cover all potential colors, including the navy blue, yellow, red and light blue that are used by Zipmoney. Copies of the Specimens of Use for the Opposed Applications and screen captures from Sezzle’s website are attached hereto as **Exhibit G** and incorporated herein by reference.

11. Zipmoney has established rights in the Zipmoney Mark with at least the respective goods and services set forth within the Zipmoney Registration and Zipmoney Applications prior to any date Applicant can rely relative to the Opposed Marks.

12. The Opposed Marks, at least when the logo portion thereof  is used with colors that are similar to the colors in which Zipmoney intends to use the Zipmoney Mark (e.g.

) , and including but not limited to Zipmoney's intent to use the Zipmoney Mark alongside the word "ZIP" (e.g. ) , are confusingly similar to the Zipmoney Mark, and have been filed for use with goods and services that are highly related to Zipmoney's goods and services, as set forth within the Zipmoney Registration and Zipmoney Applications.

13. Upon information and belief, Sezzle, which is a direct competitor of Zipmoney, knew of Zipmoney and its use of the Zipmoney Mark and, as such, adopted marks that Sezzle knew were confusingly similar to the Zipmoney Mark.

14. Upon further information and belief, Sezzle knew of Zipmoney's applications for the Zipmoney Mark at the time it filed the Opposed Applications.

15. In view of the foregoing, Applicant's proposed use and registration of the Opposed Marks set forth in the Opposed Applications will create a likelihood of confusion, mistake and/or deception among consumers, within the meaning of Trademark Act § 2(d), with Zipmoney and its Zipmoney Mark, all to the detriment of Zipmoney.

WHEREFORE, Zipmoney believes and avers that it is being and will continue to be damaged by the registration of the Opposed Marks as aforesaid, and requests that the Opposed Applications be rejected, that no registrations be issued thereon to Applicant, and that this Opposition be sustained in favor of Zipmoney.

Zipmoney has appointed David L. May, Jennette W. Psihoules, and Andrew H. Winetroub of the law firm of Nixon Peabody LLP, and members of a U.S. Bar in good standing,

to prosecute this Opposition and to transact all business in and before the United States Patent and Trademark Office in connection herewith. Please address all correspondence to:

David L. May
Jennette W. Psihoules
Andrew H. Winetroub
NIXON PEABODY LLP
799 9th Street NW
Suite 500
Washington, DC 20001

nptm@nixonpeabody.com; was.managing.clerk@nixonpeabody.com;
dmay@nixonpeabody.com; jpsihoules@nixonpeabody.com; awinetroub@nixonpeabody.com

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-2686.

Respectfully submitted,

Dated: May 9, 2021

NIXON PEABODY LLP

By /Andrew H. Winetroub/
David L. May
Jennette W. Psihoules
Andrew H. Winetroub
NIXON PEABODY LLP
799 9th Street NW, Suite 500
Washington, DC 20001
(202) 585-8000 (Phone)
(202) 585-8080 (Facsimile)
nptm@nixonpeabody.com
was.managing.clerk@nixonpeabody.com
dmay@nixonpeabody.com
jpsihoules@nixonpeabody.com
awinetroub@nixonpeabody.com

Counsel for Zipmoney Payments Pty Ltd

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing AMENDED NOTICE OF OPPOSITION by causing a true and correct copy thereof to be sent on May 9, 2021, by electronic mail, to counsel for Applicant, as indicated below.

Todd R. Fronek
Larkin Hoffman Daly & Lindgren Ltd.
8300 Norman Center Drive, Suite 1000
Minneapolis, MN 55437
ipgroup@larkinhoffman.com
tfronek@larkinhoffman.com

/Andrew H. Winetroub/
Andrew H. Winetroub

EXHIBIT A

United States of America

United States Patent and Trademark Office



Reg. No. 6,202,863

Registered Nov. 24, 2020

Int. Cl.: 36

Service Mark

Principal Register

ZIPMONEY PAYMENTS PTY LTD (AUSTRALIA proprietary limited company (p/l or pty. ltd.))
Level 14, 10 Spring Street
Sydney Nsw 2000
AUSTRALIA

CLASS 36: Electronic payment services, namely, processing of electronic wallet payments and on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; payment administration services, namely, credit card and debit card transaction processing services; payment processing services; payment transaction card services, namely, payment transaction processing services; providing lines of credit; provision of financial information relating to credit; assessing consumer credit information; provision of consumer credit; financing services for credit; financial credit scoring services; providing trade credit services, namely, financing services for business customers and providing personal loans and lines of credit to business customers

The mark consists of the letter "Z" composed of a circle and two overlapping ovals.

OWNER OF INTERNATIONAL REGISTRATION 1522720 DATED 02-28-2020,
EXPIRES 02-28-2030

SER. NO. 79-282,151, FILED 02-28-2020



Andrei Iancu

Director of the United States
Patent and Trademark Office



REQUIREMENTS TO MAINTAIN YOUR FEDERAL TRADEMARK REGISTRATION

WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.

Requirements in the First Ten Years*

What and When to File:

- **First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.
- **Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.* See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

- You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.

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Mark: Z



US Serial Number: 79282151

Application Filing Date: Feb. 28, 2020

US Registration Number: 6202863

Registration Date: Nov. 24, 2020

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Nov. 24, 2020

Publication Date: Sep. 08, 2020

Mark Information

Mark Literal Elements: Z

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the letter "Z" composed of a circle and two overlapping ovals.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.

26.11.27 - Oblongs not used as carriers for words, letters or designs

27.03.01 - Geometric figures forming letters, numerals or punctuation

Related Properties Information

International Registration Number: 1522720

International Registration Date: Feb. 28, 2020

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Electronic payment services, namely, processing of electronic wallet payments and on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; payment administration services, namely, credit card and debit card transaction processing services; payment processing services; payment transaction card services, namely, payment transaction processing services; providing lines of credit; provision of financial information relating to credit; assessing consumer credit information; provision of consumer credit; financing services for credit; financial credit scoring services; providing trade credit services, namely, financing services for business customers and providing personal loans and lines of credit to business customers

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: ZIPMONEY PAYMENTS PTY LTD

Owner Address: Level 14, 10 Spring Street
Sydney NSW 2000
AUSTRALIA

Legal Entity Type: proprietary limited company (p/l or Pty. Ltd.)

State or Country: AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David L. May

Docket Number: 087149-4

Attorney Primary Email Address: nptm@nixonpeabody.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: David L. May
Nixon Peabody LLP
799 9th Street, N.W., Suite 500
Washington, DISTRICT OF COLUMBIA UNITED STATES 20001

Phone: 202 585 8000

Fax: 202 585 8080

Correspondent e-mail: nptm@nixonpeabody.com

Correspondent e-mail Authorized: Yes

Domestic Representative

Domestic Representative Name: David L. May

Phone: 202-585-8000

Fax: 202-585-8080

Domestic Representative e-mail: nptm@nixonpeabody.com

Domestic Representative e-mail Authorized: Yes

Prosecution History

Date	Description	Proceeding Number
Feb. 24, 2021	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Nov. 24, 2020	REGISTERED-PRINCIPAL REGISTER	
Sep. 08, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 08, 2020	PUBLISHED FOR OPPOSITION	
Aug. 19, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Aug. 03, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 03, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Aug. 03, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Aug. 03, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 03, 2020	EXAMINERS AMENDMENT -WRITTEN	93422
Jul. 25, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	66213
Jul. 25, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	66213

Jul. 24, 2020	ASSIGNED TO LIE	66213
Jul. 17, 2020	REFUSAL PROCESSED BY IB	
Jun. 26, 2020	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Jun. 26, 2020	REFUSAL PROCESSED BY MPU	67445
Jun. 23, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 18, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Jun. 18, 2020	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jun. 18, 2020	TEAS CHANGE OF DOMESTIC REPRESENTATIVES ADDRESS	
Jun. 18, 2020	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Jun. 18, 2020	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Jun. 18, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 27, 2020	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 26, 2020	NON-FINAL ACTION WRITTEN	93422
May 18, 2020	ASSIGNED TO EXAMINER	93422
Apr. 07, 2020	APPLICATION FILING RECEIPT MAILED	
Apr. 03, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 02, 2020	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number:	1522720	International Registration Date:	Feb. 28, 2020
Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	Apr. 02, 2020
Notification of Designation Date:	Apr. 02, 2020	Date of Automatic Protection:	Oct. 02, 2021
International Registration Renewal Date:	Feb. 28, 2030		
First Refusal Flag:	Yes		

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Nov. 24, 2020

EXHIBIT B

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Mark: Z



US Serial Number: 88815590

Application Filing Date: Feb. 28, 2020

Register: Principal

Mark Type: Service Mark

TM5 Common Status
Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: Notice of Allowance (NOA) sent (issued) to the applicant. Applicant must file a Statement of Use or Extension Request within six months of the NOA issuance date.

Status Date: Oct. 20, 2020

Publication Date: Aug. 25, 2020

Notice of Allowance Date: Oct. 20, 2020

Mark Information

Mark Literal Z
Elements:

Standard Character
Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a stylized letter "Z" formed by a yellow circle and two overlapping ovals shown in red and light blue except for the overlapping portion appearing in navy blue.

Color Drawing: Yes

Color(s) Claimed: The color(s) navy blue, yellow, red and light blue is/are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.
26.03.13 - Ovals, exactly two (not concentric); Two ovals
26.03.16 - Ovals touching or intersecting
26.03.21 - Ovals that are completely or partially shaded
27.03.01 - Geometric figures forming letters, numerals or punctuation

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *...* identify additional (new) wording in the goods/services.

For: Electronic payment services, namely, on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; providing trade credit services, namely, financing services for business customers and providing personal loans and lines of credit to business customers; payment administration services, namely, electronic payment processing and subsequent transmission of bill payment data; payment processing services, namely, providing electronic processing of electronic funds transfers, and electronic payments; payment transaction services, namely, providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; providing lines of credit; issuing virtual credit cards; assessing consumer credit information; providing temporary loans; loan services, namely, consumer and commercial lending services; financial advice regarding credit

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(b)

Basis Information (Case Level)

Filed Use: No

Filed ITU: Yes

Filed 44D: No

Filed 44E: Yes

Filed 66A: No

Filed No Basis: No

Currently Use: No

Currently ITU: Yes

Currently 44E: No

Currently 66A: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Zipmoney Payments Pty Ltd

Owner Address: 10 Spring Street Level 14 NSW
Sydney AUSTRALIA 2000

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: David L. May

Docket Number: 087149-3

Attorney Primary nptm@nixonpeabody.com
Email Address:

Attorney Email Yes
Authorized:

Correspondent

Correspondent David L. May
Name/Address: NIXON PEABODY LLP
799 9TH STREET NW, SUITE 500
WASHINGTON, DISTRICT OF COLUMBIA UNITED STATES 20001

Phone: 202-585-8000

Fax: 202 585-8080

Correspondent e-mail: nptm@nixonpeabody.com

Correspondent e-mail Yes
Authorized:

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Oct. 20, 2020	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Aug. 25, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 25, 2020	PUBLISHED FOR OPPOSITION	
Aug. 05, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 22, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 06, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	70884
Jul. 06, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	70884
Jul. 06, 2020	ASSIGNED TO LIE	70884
Jun. 24, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 26, 2020	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
May 26, 2020	NON-FINAL ACTION E-MAILED	6325
May 26, 2020	NON-FINAL ACTION WRITTEN	93422
May 18, 2020	ASSIGNED TO EXAMINER	93422
Mar. 10, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Mar. 07, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Mar. 05, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: VO, JULIE

Law Office LAW OFFICE 123

Assigned:

File Location

Current Location: INTENT TO USE SECTION

Date in Location: Oct. 20, 2020

EXHIBIT C

Generated on: This page was generated by TSDR on 2021-05-09 23:24:21 EDT

Mark: Z ZIP



US Serial Number: 79975542

Application Filing Date: Jun. 06, 2019

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Opposition Pending

The pending trademark application has been examined by the Office and was published for opposition, at which time one or more oppositions were filed but they have not yet been decided.

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Feb. 22, 2021

Publication Date: Oct. 20, 2020

Mark Information

Mark Literal Elements: Z ZIP

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the word "ZIP" in navy blue stylized font alongside a stylized letter "Z" formed by a yellow circle and two overlapping ovals shown in red and light blue except for the overlapping portion appearing in navy blue.

Color Drawing: Yes

Color(s) Claimed: The color(s) navy blue, yellow, red and light blue is/are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.
26.11.27 - Oblongs not used as carriers for words, letters or designs

Related Properties Information

International Registration Number: 1479259

International Registration Date: Jun. 06, 2019

Child Of: 79263867

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Payment processing services, namely, providing electronic processing of electronic payments for the purpose of facilitating the reimbursement of monetary amounts to business customers for purchases made by consumers on terms of delayed and interest free payment; Payment processing services, namely, providing electronic processing of electronic payments for the purpose of facilitating payments between business customers and consumers relative to purchases made by consumers on terms of delayed and interest free payments

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Zipmoney Payments Pty Ltd

Owner Address: 10 Spring Street
Level 14
NSW 2000 Sydney AUSTRALIA

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country: AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: DAVID L. MAY

Docket Number: 087149-11

Attorney Primary Email Address: nptm@nixonpeabody.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DAVID L. MAY
NIXON PEABODY LLP
799 9TH STREET N.W., SUITE 500
WASHINGTON, DISTRICT OF COLUMBIA UNITED STATES 20001

Phone: 202-585-8000

Correspondent e-mail: nptm@nixonpeabody.com awinetroub@nixonpeabody.com dmay@nixonpeabody.com jpsihoules@nixonpeabody.com was.managing.clerk@nixonpeabody.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 21, 2021	REFUSAL PROCESSED BY IB	267757
Mar. 14, 2021	REFUSAL PROCESSED BY IB	
Mar. 14, 2021	REFUSAL PROCESSED BY IB	
Feb. 23, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 22, 2021	OPPOSITION INSTITUTED NO. 999999	
Feb. 22, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 21, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 20, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 19, 2021	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
Feb. 19, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 18, 2021	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
Feb. 18, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Jan. 23, 2021	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Jan. 23, 2021	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Dec. 30, 2020	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Dec. 30, 2020	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	
Nov. 10, 2020	EXTENSION OF TIME TO OPPOSE RECEIVED	

Oct. 25, 2020	NOTIFICATION PROCESSED BY IB	
Oct. 20, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 20, 2020	PUBLISHED FOR OPPOSITION	
Oct. 18, 2020	NOTIFICATION PROCESSED BY IB	
Sep. 30, 2020	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Sep. 30, 2020	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Sep. 30, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 15, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 15, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88888
Sep. 15, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
Aug. 24, 2020	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 25, 2020	EX PARTE APPEAL-INSTITUTED	975542
Aug. 25, 2020	JURISDICTION RESTORED TO EXAMINING ATTORNEY	975542
Aug. 25, 2020	EXPARTE APPEAL RECEIVED AT TTAB	
Aug. 25, 2020	NOTICE OF DIVIDED TRADEMARK APPLICATION MAILED	
Aug. 20, 2020	DIVISIONAL PROCESSING COMPLETE	
Jul. 07, 2020	DIVISIONAL REQUEST RECEIVED	
Aug. 20, 2020	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jul. 07, 2020	TEAS REQUEST TO DIVIDE RECEIVED	
Feb. 22, 2020	NOTIFICATION OF FINAL REFUSAL EMAILED	
Feb. 22, 2020	FINAL REFUSAL E-MAILED	
Feb. 22, 2020	FINAL REFUSAL WRITTEN	77782
Jan. 31, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 30, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 30, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 12, 2019	REFUSAL PROCESSED BY IB	
Sep. 25, 2019	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 25, 2019	REFUSAL PROCESSED BY MPU	73787
Aug. 29, 2019	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Aug. 28, 2019	NON-FINAL ACTION WRITTEN	77782
Aug. 27, 2019	ASSIGNED TO EXAMINER	77782
Aug. 03, 2019	APPLICATION FILING RECEIPT MAILED	
Jul. 30, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 25, 2019	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1479259 Priority Claimed Flag: Yes Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED Notification of Designation Date: Jul. 25, 2019 International Registration Renewal Date: Jun. 06, 2029 First Refusal Flag: Yes	International Registration Date: Jun. 06, 2019 Date of Section 67 Priority Claim: Dec. 21, 2018 Date of International Registration Status: Jul. 25, 2019 Date of Automatic Protection: Jan. 25, 2021
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TM Staff and Location Information

TM Staff Information

TM Attorney: YONTEF, DAVID ERIC

Law Office Assigned: LAW OFFICE 118

File Location**Current Location:** PUBLICATION AND ISSUE SECTION**Date in Location:** Sep. 15, 2020

Proceedings

Summary**Number of Proceedings:** 4**Type of Proceeding: Opposition****Proceeding Number:** [91267757](#)**Filing Date:** Feb 17, 2021**Status:** Suspended**Status Date:** Mar 25, 2021**Interlocutory Attorney:** KATIE BUKRINSKY**Defendant****Name:** Zipmoney Payments Pty Ltd**Correspondent Address:** DAVID L. MAYNIXON PEABODY LLP
799 9TH STREET N.W., SUITE 500
WASHINGTON DC UNITED STATES , 20001**Correspondent e-mail:** nptm@nixonpeabody.com , awinetroub@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com , was.mana.ging.clerk@nixonpeabody.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ZIP	Opposition Pending	90221252	
ZIP	Opposition Pending	90221276	
Z ZIP	Opposition Pending	79975542	
Z ZIP	Opposition Pending	79263867	

Plaintiff(s)**Name:** Discover Financial Services**Correspondent Address:** DEBORAH K. SQUIERSCOWAN, LIEBOWITZ & LATMAN, P.C.
114 W 47TH STREET
NEW YORK NY UNITED STATES , 10036**Correspondent e-mail:** trademark@cll.com , dks@cll.com , jyc@cll.com , arf@cll.com , fxm@cll.com , rsm@cll.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
ZIP	Cancellation Pending	77120901	3640199
ZIP	Cancellation Pending	77120994	3640200

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 17, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 22, 2021	Apr 03, 2021
3	INSTITUTED	Feb 22, 2021	
4	D MOT SUSPEND PENDING RELATED PROCEEDING	Mar 17, 2021	
5	D OPP/RESP TO MOTION	Mar 24, 2021	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 25, 2021	
7	D APPEARANCE / POWER OF ATTORNEY	Mar 26, 2021	
8	CONSOLIDATED W/92076245; TRIAL DATES RESET	Apr 13, 2021	
9	ANSWER	Apr 21, 2021	

Type of Proceeding: Cancellation**Proceeding Number:** [92076245](#)**Filing Date:** Jan 21, 2021

Status: Consolidated/Child Case

Status Date: Apr 13, 2021

Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Discover Financial Services

Correspondent Address: DEBORAH K SQUIERS
COWAN LIEBOWITZ & LATMAN PC
114 WEST 47TH STREET
NEW YORK NY UNITED STATES , 10036-6799

Correspondent e-mail: Trademark@cll.com , dks@cll.com , jyc@cll.com , arf@cll.com , fxm@cll.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZIP	Cancellation Pending	77120901	3640199
ZIP	Cancellation Pending	77120994	3640200

Plaintiff(s)

Name: Zipmoney Payments Pty Ltd

Correspondent Address: DAVID L. MAY
NIXON PEABODY LLP
799 9TH STREET NW, SUITE 500
WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com , awinetroub@nixonpeabody.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
Z ZIP	Opposition Pending	79263867	
Z ZIP	Opposition Pending	79975542	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 21, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 22, 2021	Mar 03, 2021
3	INSTITUTED	Jan 22, 2021	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 23, 2021	
5	ANSWER	Feb 23, 2021	
6	D MOT TO CONSOLIDATE	Mar 24, 2021	
7	P APPEARANCE / POWER OF ATTORNEY	Mar 26, 2021	
8	CONSOLIDATED W/91267757; TRIAL DATES RESET	Apr 13, 2021	

Type of Proceeding: Extension of Time

Proceeding Number: [79975542](#)

Filing Date: Aug 24, 2020

Status: Terminated

Status Date: Feb 23, 2021

Interlocutory Attorney:

Defendant

Name: Zipmoney Payments Pty Ltd

Correspondent Address: DAVID L MAY
NIXON PEABODY LLP
799 9TH STREET NW SUITE 500
WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
Z ZIP	Opposition Pending	79975542	

Potential Opposer(s)**Name:** DISCOVER FINANCIAL SERVICES**Correspondent Address:** DEBORAH K. SQUIERS / JEFFREY Y. CHERY
COWAN, LIEBOWITZ & LATMAN, P.C.
114 W 47TH STREET
NEW YORK NY UNITED STATES , 10036**Correspondent e-mail:** trademark@cll.com , dks@cll.com , jyc@cll.com , arf@cll.com , fxm@cll.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Nov 10, 2020	
2	EXT GRANTED	Nov 10, 2020	

Type of Proceeding: Exparte Appeal**Proceeding Number:** [79975542](#)**Filing Date:** Aug 24, 2020**Status:** Terminated**Status Date:** Nov 04, 2020**Interlocutory Attorney:****Plaintiff(s)****Name:** Zipmoney Payments Pty Ltd**Correspondent Address:** DAVID L MAY
NIXON PEABODY LLP
799 9TH STREET NW SUITE 500
WASHINGTON DC UNITED STATES , 20001**Correspondent e-mail:** nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com**Associated marks**

Mark	Application Status	Serial Number	Registration Number
Z ZIP	Opposition Pending	79975542	

Prosecution History

Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Aug 24, 2020	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Aug 25, 2020	
3	INSTITUTED	Aug 25, 2020	
4	BD DECISION: DISMISSED AS MOOT	Nov 04, 2020	
5	TERMINATED	Nov 04, 2020	

EXHIBIT D

Generated on: This page was generated by TSDR on 2021-05-09 23:26:39 EDT

Mark: Z ZIP



US Serial Number: 79263867

Application Filing Date: Jun. 06, 2019

Register: Principal

Mark Type: Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Opposition Pending

The pending trademark application has been examined by the Office and was published for opposition, at which time one or more oppositions were filed but they have not yet been decided.

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Feb. 22, 2021

Publication Date: Oct. 27, 2020

Mark Information

Mark Literal Elements: Z ZIP

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of the word "ZIP" in navy blue stylized font alongside a stylized letter "Z" formed by a yellow circle and two overlapping ovals shown in red and light blue except for the overlapping portion appearing in navy blue.

Color Drawing: Yes

Color(s) Claimed: The color(s) navy blue, yellow, red and light blue is/are claimed as a feature of the mark.

Design Search Code(s): 26.01.21 - Circles that are totally or partially shaded.
26.11.27 - Oblongs not used as carriers for words, letters or designs

Related Properties Information

International Registration Number: 1479259

International Registration Date: Jun. 06, 2019

Parent Of: 79975542

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Electronic payment services, namely, on-line financing of purchases via the Internet and electronic means; providing trade credit services, namely, financing services for business customers; payment administration services, namely, electronic processing and subsequent transmission of bill payment data; payment processing services, namely, providing electronic processing of electronic funds transfers, and electronic payments; payment transaction services, namely, providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; assessing consumer credit information; financial advice regarding credit

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: Yes

Filed 66A: Yes

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Zipmoney Payments Pty Ltd

Owner Address: 10 Spring Street
Level 14
NSW 2000 Sydney AUSTRALIA

Legal Entity Type: proprietary limited company (p/l or pty. ltd.)

State or Country AUSTRALIA
Where Organized:

Attorney/Correspondence Information

Attorney of Record

Attorney Name: DAVID L. MAY

Docket Number: 087149-11

Attorney Primary Email Address: nptm@nixonpeabody.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: DAVID L. MAY
NIXON PEABODY LLP
799 9TH STREET N.W., SUITE 500
WASHINGTON, DISTRICT OF COLUMBIA UNITED STATES 20001

Phone: 202-585-8000

Correspondent e-mail: nptm@nixonpeabody.com awinetroub@nixonpeabody.com dmay@nixonpeabody.com jpsihoules@nixonpeabody.com ?was.managing.clerk@nixonpeabody.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Mar. 21, 2021	REFUSAL PROCESSED BY IB	267757
Mar. 14, 2021	REFUSAL PROCESSED BY IB	
Mar. 14, 2021	REFUSAL PROCESSED BY IB	
Feb. 23, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 22, 2021	OPPOSITION INSTITUTED NO. 999999	
Feb. 22, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 21, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 20, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 19, 2021	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
Feb. 19, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Feb. 18, 2021	OPPOSITION NOTICE (IB REFUSAL) SENT TO IB	
Feb. 18, 2021	OPPOSITION NOTICE (IB REFUSAL) CREATED	
Jan. 23, 2021	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Jan. 23, 2021	NOTIFICATION OF POSSIBLE OPPOSITION - PROCESSED BY IB	
Dec. 30, 2020	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Dec. 30, 2020	NOTIFICATION OF POSSIBLE OPPOSITION CREATED, TO BE SENT TO IB	

Dec. 11, 2020	PRELIMINARY/VOLUNTARY AMENDMENT - ENTERED	88889
Nov. 10, 2020	EXTENSION OF TIME TO OPPOSE RECEIVED	
Oct. 27, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Oct. 27, 2020	PUBLISHED FOR OPPOSITION	
Oct. 25, 2020	NOTIFICATION PROCESSED BY IB	
Oct. 18, 2020	NOTIFICATION PROCESSED BY IB	
Oct. 07, 2020	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Oct. 07, 2020	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Oct. 07, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Sep. 19, 2020	EXPARTE APPEAL TERMINATED	263867
Sep. 18, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 18, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Sep. 18, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Sep. 18, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Sep. 18, 2020	EXAMINERS AMENDMENT -WRITTEN	77782
Sep. 15, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88888
Sep. 15, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88888
Aug. 24, 2020	TEAS REQUEST FOR RECONSIDERATION RECEIVED	
Aug. 25, 2020	EX PARTE APPEAL-INSTITUTED	263867
Aug. 25, 2020	JURISDICTION RESTORED TO EXAMINING ATTORNEY	263867
Aug. 25, 2020	EXPARTE APPEAL RECEIVED AT TTAB	
Aug. 20, 2020	DIVISIONAL PROCESSING COMPLETE	
Jul. 07, 2020	DIVISIONAL REQUEST RECEIVED	
Aug. 20, 2020	CASE ASSIGNED TO INTENT TO USE PARALEGAL	66230
Jul. 07, 2020	TEAS REQUEST TO DIVIDE RECEIVED	
Feb. 22, 2020	NOTIFICATION OF FINAL REFUSAL EMAILED	
Feb. 22, 2020	FINAL REFUSAL E-MAILED	
Feb. 22, 2020	FINAL REFUSAL WRITTEN	77782
Jan. 31, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jan. 30, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jan. 30, 2020	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 12, 2019	REFUSAL PROCESSED BY IB	
Sep. 25, 2019	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
Sep. 25, 2019	REFUSAL PROCESSED BY MPU	73787
Aug. 29, 2019	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
Aug. 28, 2019	NON-FINAL ACTION WRITTEN	77782
Aug. 27, 2019	ASSIGNED TO EXAMINER	77782
Aug. 03, 2019	APPLICATION FILING RECEIPT MAILED	
Jul. 30, 2019	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 25, 2019	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number:	1479259	International Registration Date:	Jun. 06, 2019
Priority Claimed Flag:	Yes	Date of Section 67 Priority Claim:	Dec. 21, 2018
Intl. Registration Status:	REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status:	Jul. 25, 2019
Notification of Designation Date:	Jul. 25, 2019	Date of Automatic Protection:	Jan. 25, 2021
International Registration Renewal Date:	Jun. 06, 2029		
First Refusal Flag:	Yes		

TM Staff and Location Information

TM Staff Information

TM Attorney: YONTEF, DAVID ERIC

Law Office LAW OFFICE 118
Assigned:

File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Dec, 11, 2020

Proceedings

Summary

Number of 4
Proceedings:

Type of Proceeding: Opposition

Proceeding Number: [91267757](#)

Filing Date: Feb 17, 2021

Status: Suspended

Status Date: Mar 25, 2021

Interlocutory Attorney: KATIE BUKRINSKY

Defendant

Name: Zipmoney Payments Pty Ltd

Correspondent Address: DAVID L. MAY
NIXON PEABODY LLP
799 9TH STREET N.W., SUITE 500
WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com , awinetroub@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com , was.manning@nixonpeabody.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZIP	Opposition Pending	90221252	
ZIP	Opposition Pending	90221276	
Z ZIP	Opposition Pending	79975542	
Z ZIP	Opposition Pending	79263867	

Plaintiff(s)

Name: Discover Financial Services

Correspondent Address: DEBORAH K. SQUIERS
COWAN, LIEBOWITZ & LATMAN, P.C.
114 W 47TH STREET
NEW YORK NY UNITED STATES , 10036

Correspondent e-mail: trademark@cjl.com , dks@cjl.com , jyc@cjl.com , arf@cjl.com , fxm@cjl.com , rsm@cjl.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZIP	Cancellation Pending	77120901	3640199
ZIP	Cancellation Pending	77120994	3640200

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Feb 17, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Feb 22, 2021	Apr 03, 2021
3	INSTITUTED	Feb 22, 2021	
4	D MOT SUSPEND PENDING RELATED PROCEEDING	Mar 17, 2021	
5	D OPP/RESP TO MOTION	Mar 24, 2021	
6	SUSP PEND DISP OF OUTSTNDNG MOT	Mar 25, 2021	
7	D APPEARANCE / POWER OF ATTORNEY	Mar 26, 2021	

Type of Proceeding: Cancellation

Proceeding Number: [92076245](#) **Filing Date:** Jan 21, 2021
Status: Consolidated/Child Case **Status Date:** Apr 13, 2021
Interlocutory Attorney: MIKE WEBSTER

Defendant

Name: Discover Financial Services
Correspondent Address: DEBORAH K SQUIERS
 COWAN LIEBOWITZ & LATMAN PC
 114 WEST 47TH STREET
 NEW YORK NY UNITED STATES , 10036-6799
Correspondent e-mail: Trademark@cll.com , dkl@cll.com , jyc@cll.com , arf@cll.com , fxm@cll.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
ZIP	Cancellation Pending	77120901	3640199
ZIP	Cancellation Pending	77120994	3640200

Plaintiff(s)

Name: Zipmoney Payments Pty Ltd
Correspondent Address: DAVID L. MAY
 NIXON PEABODY LLP
 799 9TH STREET NW, SUITE 500
 WASHINGTON DC UNITED STATES , 20001
Correspondent e-mail: nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com , awinetroub@nixonpeabody.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
Z ZIP	Opposition Pending	79263867	
Z ZIP	Opposition Pending	79975542	

Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 21, 2021	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 22, 2021	Mar 03, 2021
3	INSTITUTED	Jan 22, 2021	
4	D APPEARANCE / POWER OF ATTORNEY	Feb 23, 2021	
5	ANSWER	Feb 23, 2021	
6	D MOT TO CONSOLIDATE	Mar 24, 2021	
7	P APPEARANCE / POWER OF ATTORNEY	Mar 26, 2021	
8	CONSOLIDATED W/91267757; TRIAL DATES RESET	Apr 13, 2021	

Type of Proceeding: Extension of Time

Proceeding Number: [79263867](#) **Filing Date:** Aug 24, 2020
Status: Terminated **Status Date:** Feb 25, 2021
Interlocutory Attorney:

Defendant

Name: Zipmoney Payments Pty Ltd
Correspondent Address: DAVID L. MAY
 NIXON PEABODY LLP
 799 9TH STREET, NW, SUITE 500
 WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

Z ZIP Opposition Pending [79263867](#)

Potential Opposer(s)

Name: DISCOVER FINANCIAL SERVICES

Correspondent Address: DEBORAH K. SQUIERS / JEFFREY Y. CHERY
COWAN, LIEBOWITZ & LATMAN, P.C.
114 W 47TH STREET
NEW YORK NY UNITED STATES , 10036

Correspondent e-mail: trademark@cjl.com , dkc@cjl.com , jyc@cjl.com , arf@cjl.com , fxm@cjl.com

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Nov 10, 2020	
2	EXT GRANTED	Nov 10, 2020	

Type of Proceeding: Exparte Appeal

Proceeding Number: [79263867](#)

Filing Date: Aug 24, 2020

Status: Terminated

Status Date: Sep 19, 2020

Interlocutory Attorney:

Plaintiff(s)

Name: Zipmoney Payments Pty Ltd

Correspondent Address: DAVID L. MAY
NIXON PEABODY LLP
799 9TH STREET, NW, SUITE 500
WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsihoules@nixonpeabody.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

Z ZIP Opposition Pending [79263867](#)

Prosecution History			
Entry Number	History Text	Date	Due Date
1	APPEAL TO BOARD	Aug 24, 2020	
2	APPEAL ACKNOWLEDGED; CASE REMANDED	Aug 25, 2020	
3	INSTITUTED	Aug 25, 2020	
4	TERMINATED	Sep 19, 2020	

EXHIBIT E

Generated on: This page was generated by TSDR on 2021-02-26 22:52:20 EST

Mark: S



US Serial Number: 88891706

Application Filing Date: Apr. 28, 2020

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Opposition Pending

The pending trademark application has been examined by the Office and was published for opposition, at which time one or more oppositions were filed but they have not yet been decided.

Status: An opposition after publication is pending at the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Dec. 30, 2020

Publication Date: Sep. 01, 2020

Mark Information

Mark Literal Elements: S

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of four irregular shapes connected to one another to resemble an "S" tilted at an angle.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search 26.05.13 - Two triangles; Triangles, exactly two triangles

Code(s): 26.05.16 - Triangles touching or intersecting

26.05.25 - Triangles with one or more curved sides

26.17.09 - Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved; Bands, curved

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Computer software, namely, downloadable computer programs and recorded computer software for processing electronic payments, electronic funds transfers and credit card transactions; computer software, namely, downloadable computer programs and recorded computer software for facilitating financial transactions by collecting, storing and transmitting data and information for use in financing of purchases; computer software, namely, downloadable computer programs and recorded computer software for facilitating electronic funds transfers; computer hardware and downloadable and recorded software systems for enabling users to purchase goods and services electronically via electronic payment terminals and automatic teller machines and for making credit card and electronic payments for such purposes; magnetically encoded credit cards, debit cards and gift cards; encoded electronic chip cards for enabling users to make electronic payments and electronic funds transfers; encoded smart cards containing programming used for enabling users to make electronic payments and electronic funds transfers; magnetically encoded debit cards, gift cards and credit cards for electronically transferring funds

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 20, 2020

Use in Commerce: Mar. 20, 2020

For: Financial and monetary services, namely, card-operated financial services in the nature of credit card, debit card and cash card

payment processing services; computerized financial services in the nature of on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; providing financial transaction services in the nature of credit card and debit card authorization services and facilitating the processing of credit card and debit card payments; clearing and reconciling financial transactions via a global computer network; financial payment services in the nature of bill payment services and charge card, debit card and credit card payment processing services; electronic payment services involving electronic processing and subsequent transmission of bill payment data; bill payment services; credit card and debit card payment processing services; processing of contactless credit and debit card payments; electronic transfer of funds via computers; electronic funds transfer; transfer of funds, namely, money transfer; providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; card-accessed financial services in the nature of electronic credit card and debit card transaction processing services; providing electronic processing of electronic funds transfer, ACH, credit card, debit card, electronic check and electronic payments

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

For: Software as a service (SAAS) services featuring software for processing electronic payments, authorizing credit card, debit card and cash card transactions, managing and tracking electronic payment information and facilitating e-commerce services for others, namely, for allowing users to perform electronic business transactions via a global computer network; providing temporary use of on-line non-downloadable software for processing electronic payments; providing temporary use of on-line non-downloadable authentication software for controlling access to and communications with computers and computer networks

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Sezzle Inc.

Owner Address: 251 1st Avenue North, Suite 200
Minneapolis, MINNESOTA UNITED STATES 55401

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: TODD R. FRONEK

Docket Number: 40049.00009

Attorney Primary Email Address: ipgroup@larkinhoffman.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TODD R. FRONEK
LARKIN HOFFMAN DALY & LINDGREN LTD.
8300 NORMAN CENTER DRIVE
SUITE 1000
MINNEAPOLIS, MINNESOTA UNITED STATES 55437-1060

Phone: 952-896-3295

Correspondent e-mail: ipgroup@larkinhoffman.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Dec. 30, 2020	OPPOSITION INSTITUTED NO. 999999	266802
Sep. 29, 2020	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 01, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 01, 2020	PUBLISHED FOR OPPOSITION	
Aug. 12, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 24, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 24, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 24, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 24, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 24, 2020	EXAMINERS AMENDMENT -WRITTEN	81848
Jul. 22, 2020	ASSIGNED TO EXAMINER	81848
May 13, 2020	PRELIMINARY/VOLUNTARY AMENDMENT - ENTERED	69712
May 12, 2020	ASSIGNED TO LIE	69712
May 12, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
May 11, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 11, 2020	ASSIGNED TO LIE	70468
May 06, 2020	TEAS VOLUNTARY AMENDMENT RECEIVED	
May 01, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: PARK, JENNY K

Law Office Assigned: LAW OFFICE 104

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 27, 2020

Proceedings

Summary

Number of Proceedings: 2

Type of Proceeding: Opposition

Proceeding Number: [91266802](#)

Filing Date: Dec 30, 2020

Status: Pending

Status Date: Dec 30, 2020

Interlocutory Attorney: MARY CATHERINE FAINT

Defendant

Name: Sezzle Inc.

Correspondent Address: TODD R. FRONEK

LARKIN HOFFMAN DALY & LINDGREN LTD.
8300 NORMAN CENTER DRIVE, SUITE 1000
MINNEAPOLIS MN UNITED STATES , 55437-1060

Correspondent e-mail: ipgroup@larkinhoffman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
S	Opposition Pending	88891706	
Plaintiff(s)			

Name: ITS, Inc.

Correspondent CLINTON G. NEWTON
Address: SHOOK, HARDY & BACON L.L.P.
2555 GRAND BLVD.
KANSAS CITY MO UNITED STATES , 64108

Correspondent e-mail: cgntmdocket@shb.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
S	REGISTERED AND RENEWED	73531358	1364885
	New Application - Record Initialized Not Assigned to Examiner	90430347	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Dec 30, 2020	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Dec 30, 2020	Feb 08, 2021
3	INSTITUTED	Dec 30, 2020	
4	D MOT FOR EXT W/ CONSENT	Feb 08, 2021	
5	EXTENSION OF TIME GRANTED	Feb 08, 2021	

Type of Proceeding: Extension of Time

Proceeding Number: [88891706](#)

Filing Date: Sep 29, 2020

Status: Terminated

Status Date: Dec 30, 2020

Interlocutory Attorney:

Defendant

Name: Sezzle Inc.

Correspondent TODD R. FRONEK
Address: LARKIN HOFFMAN DALY & LINDGREN LTD.
8300 NORMAN CENTER DRIVE, SUITE 1000
MINNEAPOLIS MN UNITED STATES , 55437-1060

Correspondent e-mail: ipgroup@larkinhoffman.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number
S	Opposition Pending	88891706	

Potential Opposer(s)	
----------------------	--

Name: ITS, Inc.

Correspondent CLINTON G. NEWTON
Address: SHOOK, HARDY & BACON L.L.P.
2555 GRAND BLVD.
KANSAS CITY MO UNITED STATES , 64108

Correspondent e-mail: cgntmdocket@shb.com

Associated marks			
Mark	Application Status	Serial Number	Registration Number

Name: Zipmoney Payments Pty Ltd

Correspondent DAVID L. MAY
Address: NIXON PEABODY LLP
799 9TH STREET NW, SUITE 500
WASHINGTON DC UNITED STATES , 20001

Correspondent e-mail: nptm@nixonpeabody.com , nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsiholes@nixonpeabody.com

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Sep 29, 2020	

2	EXT GRANTED	Sep 29, 2020
3	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Sep 30, 2020
4	EXT GRANTED	Sep 30, 2020
5	FINAL 60-DAY REQUEST TO EXT TIME TO OPPOSE	Dec 30, 2020
6	EXT GRANTED	Dec 30, 2020

EXHIBIT F

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Mark: S SEZZLE



US Serial Number: 88891696

Application Filing Date: Apr. 28, 2020

Register: Principal

Mark Type: Trademark, Service Mark

TM5 Common Status Descriptor:



LIVE/APPLICATION/Published for Opposition

A pending trademark application has been examined by the Office and has been published in a way that provides an opportunity for the public to oppose its registration.

Status: A request for an extension of time to file an opposition has been filed with the Trademark Trial and Appeal Board. For further information, see TTABVue on the Trademark Trial and Appeal Board web page.

Status Date: Sep. 30, 2020

Publication Date: Sep. 01, 2020

Mark Information

Mark Literal Elements: S SEZZLE

Standard Character Claim: No

Mark Drawing Type: 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of four irregular shapes connected to one another to resemble an "S" tilted at an angle, positioned to the left of the word "SEZZLE" in stylized font.

Color(s) Claimed: Color is not claimed as a feature of the mark.

Design Search Code(s): 26.05.13 - Two triangles; Triangles, exactly two triangles

26.05.16 - Triangles touching or intersecting

26.05.25 - Triangles with one or more curved sides

26.17.09 - Bars, curved; Curved line(s), band(s) or bar(s); Lines, curved; Bands, curved

Related Properties Information

Claimed Ownership of US Registrations: 5044997, 5865881

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *.* identify additional (new) wording in the goods/services.

For: Computer software, namely, downloadable computer programs and recorded computer software for processing electronic payments, electronic funds transfers and credit card transactions; computer software, namely, downloadable computer programs and recorded computer software for facilitating financial transactions by collecting, storing and transmitting data and information for use in financing of purchases; computer software, namely, downloadable computer programs and recorded computer software for facilitating electronic funds transfers; computer hardware and downloadable and recorded software systems for enabling users to purchase goods and services electronically via electronic payment terminals and automatic teller machines and for making credit card and electronic payments for such purposes; magnetically encoded credit cards, debit cards and gift cards; encoded electronic chip cards for enabling users to make electronic payments and electronic funds transfers; encoded smart cards containing programming used for enabling users to make electronic payments and electronic funds transfers; magnetically encoded debit cards, gift cards and credit cards for electronically transferring funds

International Class(es): 009 - Primary Class

U.S Class(es): 021, 023, 026, 036, 038

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 20, 2020

Use in Commerce: Mar. 20, 2020

For: Financial and monetary services, namely, card-operated financial services in the nature of credit card, debit card and cash card payment processing services; computerized financial services in the nature of on-line financing of purchases and providing financial information and financial information in the form of financial statements via the Internet and electronic means; providing financial transaction services in the nature of credit card and debit card authorization services and facilitating the processing of credit card and debit card payments; clearing and reconciling financial transactions via a global computer network; financial payment services in the nature of bill payment services and charge card, debit card and credit card payment processing services; electronic payment services involving electronic processing and subsequent transmission of bill payment data; bill payment services; credit card and debit card payment processing services; processing of contactless credit and debit card payments; electronic transfer of funds via computers; electronic funds transfer; transfer of funds, namely, money transfer; providing transactional services relating to point-of-sale transactions in the nature of providing secure commercial transactions and payment options using a mobile device at a point of sale; card-accessed financial services in the nature of electronic credit card and debit card transaction processing services; providing electronic processing of electronic funds transfer, ACH, credit card, debit card, electronic check and electronic payments

International Class(es): 036 - Primary Class

U.S Class(es): 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

For: Software as a service (SAAS) services featuring software for processing electronic payments, authorizing credit card, debit card and cash card transactions, managing and tracking electronic payment information and facilitating e-commerce services for others, namely, for allowing users to perform electronic business transactions via a global computer network; providing temporary use of on-line non-downloadable software for processing electronic payments; providing temporary use of on-line non-downloadable authentication software for controlling access to and communications with computers and computer networks

International Class(es): 042 - Primary Class

U.S Class(es): 100, 101

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 2020

Use in Commerce: Mar. 2020

Basis Information (Case Level)

Filed Use: Yes

Currently Use: Yes

Filed ITU: No

Currently ITU: No

Filed 44D: No

Currently 44E: No

Filed 44E: No

Currently 66A: No

Filed 66A: No

Currently No Basis: No

Filed No Basis: No

Current Owner(s) Information

Owner Name: Sezzle Inc.

Owner Address: 251 1st Avenue North
Suite 200
Minneapolis, MINNESOTA UNITED STATES 55401

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Todd R. Fronek

Docket Number: 40049.00010

Attorney Primary Email Address: ipgroup@larkinhoffman.com

Attorney Email Authorized: Yes

Correspondent

Correspondent Name/Address: TODD R. FRONEK
LARKIN HOFFMAN DALY & LINDGREN LTD.
8300 NORMAN CENTER DRIVE
SUITE 1000
MINNEAPOLIS, MINNESOTA UNITED STATES 55437-1060

Phone: 952-896-3295

Correspondent e-mail: ipgroup@larkinhoffman.com

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Sep. 30, 2020	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 01, 2020	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Sep. 01, 2020	PUBLISHED FOR OPPOSITION	
Aug. 12, 2020	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 24, 2020	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 24, 2020	EXAMINER'S AMENDMENT ENTERED	88888
Jul. 24, 2020	NOTIFICATION OF EXAMINERS AMENDMENT E-MAILED	6328
Jul. 24, 2020	EXAMINERS AMENDMENT E-MAILED	6328
Jul. 24, 2020	EXAMINERS AMENDMENT -WRITTEN	81848
Jul. 22, 2020	ASSIGNED TO EXAMINER	81848
May 13, 2020	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
May 13, 2020	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
May 12, 2020	ASSIGNED TO LIE	69712
May 12, 2020	NOTICE OF DESIGN SEARCH CODE E-MAILED	
May 11, 2020	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 11, 2020	ASSIGNED TO LIE	70468
May 06, 2020	TEAS VOLUNTARY AMENDMENT RECEIVED	
May 01, 2020	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information

TM Attorney: PARK, JENNY K

Law Office LAW OFFICE 104
Assigned:

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jul. 27, 2020

Proceedings

Summary

Number of 1
Proceedings:

Type of Proceeding: Extension of Time

Proceeding Number: [88891696](#)

Filing Date: Sep 30, 2020

Status: Extension of Time to Oppose Filed

Status Date: Sep 30, 2020

Interlocutory
Attorney:

Defendant

Name: Sezzle Inc.

Correspondent TODD R. FRONEK

Address: LARKIN HOFFMAN DALY & LINDGREN LTD.
8300 NORMAN CENTER DRIVE, SUITE 1000
MINNEAPOLIS MN UNITED STATES , 55437-1060

Correspondent e-mail: ipgroup@larkinhoffman.com

Associated marks

Mark	Application Status	Serial Number	Registration Number
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Potential Opposer(s)**Name:** Zipmoney Payments Pty Ltd**Correspondent** DAVID L. MAY**Address:** NIXON PEABODY LLP
799 9TH STREET NW, SUITE 500
WASHINGTON DC UNITED STATES , 20001**Correspondent e-mail:** nptm@nixonpeabody.com , nptm@nixonpeabody.com , was.managing.clerk@nixonpeabody.com , dmay@nixonpeabody.com , jpsiholes@nixonpeabody.com**Prosecution History**

Entry Number	History Text	Date	Due Date
1	FIRST 90-DAY REQUEST TO EXT TIME TO OPPOSE	Sep 30, 2020	
2	EXT GRANTED	Sep 30, 2020	
3	FINAL 60-DAY REQUEST TO EXT TIME TO OPPOSE	Dec 30, 2020	
4	EXT GRANTED	Dec 30, 2020	

EXHIBIT G



Sign In



Mobile Phone

PIN

[Reset your pin](#)

Sign in

Sign up



BUY NOW. PAY LATER.

The next generation is ready to Sezzle. Are you?

Allow your shoppers to split their payments into interest-free installments by adding Sezzle to your checkout.

Over 10,000 stores are already increasing their sales with Sezzle



Sign up for a Merchant Account

New to Sezzle? All we need are some basic pieces of information about your business.

Email address

Create a password

Re-type your password



I'm not a robot



reCAPTCHA
Privacy - Terms

get started

[Looking to sign up as a shopper instead?](#)

Need Help?



Merchant Sign In

Email

Password

login

[Forgot your password? Reset it here](#)

[Sign Up](#)

Need Help?

Buy Now. Pay Later.
Interest-Free.

[shop deals](#)[how it works](#)

SHOP



Plus shop over 26,000 stores to find unique products everyone will love. 4 payments, 6 weeks, 0% interest.

Brands We Love

[Browse all featured stores](#)

New Stores

[Browse all stores](#)


Wellness

Apparel

Home

Women

Shop by Category

[All Categories](#)

Our Values

Financially Empowering The Next Generation

It's our mission to financially empower the next generation of change-makers. Financial freedom is a right, not a privilege. Everyone deserves to be trusted, and by valuing, respecting, and supporting each individual, opportunities expand for everyone to achieve their potential. We're here to help you achieve financial freedom and take control over your finances so you can build your future.

Shoppers

[How to Sezzle](#)
[Shop with Sezzle](#)
[Shopper FAQs](#)
[Shopper Support](#)
[Shopper .org In](#)

For Merchants

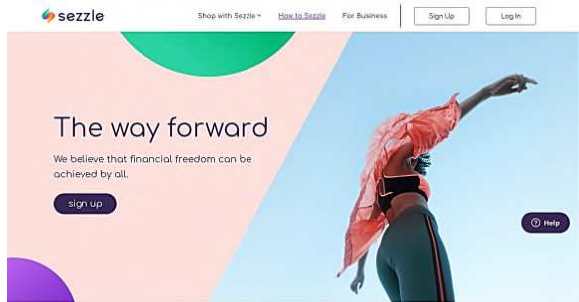
[For Business](#)
[Partners & Integrations](#)
[Merchant FAQs](#)
[Merchant Support](#)
[Brand Assets](#)
[Merchant Log In](#)

About Sezzle

[News](#)
[Research Center](#)
[Investors](#)
[Careers](#)
[Contact Info](#)

Other Information

[PCI DSS Level 1](#)
[User Agreement](#)
[Privacy Policy](#)
[Merchant Agreement](#)
[Accessibility](#)



Here's how to Sezzle



SIGN UP

It's quick, easy and approval decisions are instant.



GO SHOP

We have more than 26,000 online stores to choose from.



SEZZLE IT

Simply select Sezzle at checkout and complete your order.

How it works

Split your entire order into 4 interest-free payments over 6 weeks. No fees if you pay on time with zero impact to your credit.

[sign up](#)

Payment	Amount	Due Date
1	25%	today
2	25%	2 weeks
3	25%	4 weeks
4	25%	6 weeks

Shop Our Featured Stores

[view all stores](#)



Top-rated payment method

Don't just take our word for it. See what others are saying on Trustpilot.

★★★★★

Sezzle is the bomb!! I love the way of being able to make purchases and pay later!
- J. Hall

★★★★★

This is a wonderful service. I have used it several times and each time it has gone smoothly. No complaints. - R. Ambrose

★★★★★

Very easy to use. Very easy to use, and customer support was extremely quick to reply to my requests. - Danielle

★★★★★

I love shopping with Sezzle! It's like having money and wearing the item as you pay. - A. Garrett

Rated 4.8 out of 5 based on 8,000+ reviews on Trustpilot.com

Download the App

Shop directory. Manage your payments. Plus more!

[Download on the App Store](#) [GET IT ON Google Play](#)

Ready. Set. Sezzle!

Sign up today, get an instant approval decision, and start paying later at more than 26,000 of your favorite online retailers.

[sign up](#)